

**Senate File 292 - Introduced**

SENATE FILE 292

BY ZUMBACH

**A BILL FOR**

1 An Act relating to the sealing of certain criminal offenders'  
2 juvenile delinquency records.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.150, subsection 1, paragraph b, Code  
2 2017, is amended to read as follows:

3 b. If the person was adjudicated delinquent for an  
4 offense which if committed by an adult would be an aggravated  
5 misdemeanor or a felony, the court shall not order the records  
6 in the case sealed unless, upon application of the person or  
7 upon the court's own motion and after hearing, the court finds  
8 that any of the following apply:

9 (1) That paragraph "a", subparagraphs (1) and (2), apply and  
10 that the sealing is in the best interests of the person and the  
11 public.

12 (2) If the person has been convicted of a felony or  
13 an aggravated or serious misdemeanor subsequent to the  
14 adjudication, that the person has served in the military and  
15 received an honorable discharge or a general discharge under  
16 honorable conditions.

17 (3) If the person has been convicted of a felony or  
18 an aggravated or serious misdemeanor subsequent to the  
19 adjudication, that ten years have elapsed since the conviction.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the sealing of juvenile delinquency  
24 records for certain criminal offenders.

25 Current law provides that a person, who was adjudicated  
26 delinquent for an offense which if committed by an adult would  
27 be an aggravated misdemeanor or a felony, may have the person's  
28 juvenile delinquency records sealed, if, upon the application  
29 of the person or the court's motion and after a hearing, the  
30 court finds that the following conditions have been met: the  
31 person is at least 18 years of age and two years have elapsed  
32 since the last official action in the person's case, that the  
33 person has not been subsequently convicted of a felony or an  
34 aggravated or serious misdemeanor or adjudicated a delinquent  
35 child for an act which if committed by an adult would be a

1 felony, an aggravated misdemeanor, or a serious misdemeanor  
2 and no proceeding is pending seeking such conviction or  
3 adjudication, and that the sealing is in the best interest of  
4 the person and the public.

5     The bill amends the current law to allow the sealing of  
6 such a person's juvenile delinquency records, without meeting  
7 the conditions set out above, but requiring the following  
8 two alternative conditions of a person who, subsequent to  
9 the juvenile adjudication, was convicted of a felony or an  
10 aggravated or serious misdemeanor: that the person has served  
11 in the military and received an honorable discharge or a  
12 general discharge under honorable conditions or that 10 years  
13 have passed since the person's conviction for the felony or  
14 aggravated or serious misdemeanor.